

**MONDAY, APRIL 10, 2017**

**TWENTY-FOURTH LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Ken Edwards, Belmont United Methodist Church, Nashville, TN .

Representative Clemmons led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 96

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Holsclaw; personal

**COMMUNICATION**

**April 7, 2017**

Vernon H. Stafford, Jr.  
EVP, Chief Audit Executive  
First Horizon National Corporation  
165 Madison Avenue  
Memphis, TN 38103

Re: Tennessee Higher Education Commission

Dear Mr. Stafford:

**MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION**

As Speaker of the Senate and Speaker of the House, acting pursuant to Tennessee Code Annotated, §49-7-204(a), we are appointing you to serve as a West Grand Division member of the Tennessee Higher Education Commission. You will be serving in the position recently vacated by Pam Martin. Your term commences immediately and will expire on June 30, 2020.

We are forwarding a copy of this letter to Executive Director Mike Krause. Director Krause's office will be contacting you in the near future regarding this appointment.

We are confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Lt. Governor Randy McNally

/s/ Speaker Beth Harwell

cc: Mike Krause, Executive Director THEC  
Cody York, 8<sup>th</sup> Floor, Snodgrass Tower  
Don R. Johnson, G-7 State Capitol Bldg.  
Scott Gilmer  
Connie Ridley  
Karen Garrett  
Doug Himes  
Tammy Letzler  
Russell Humphrey

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 89** Reps. Clemmons, Powell, Mitchell, Stewart and Jernigan as prime sponsors.

**House Bill No. 4** Reps. Hardaway and Staples as prime sponsors.

**House Bill No. 21** Reps. Hardaway and Clemmons as prime sponsors.

**House Bill No. 268** Reps. J. Sexton, Holsclaw, Johnson, T. Hill and Pody as prime sponsors.

**House Bill No. 404** Reps. Carter, Terry, Gant, Rogers, J. Sexton and Hardaway as prime sponsors.

**House Bill No. 466** Rep. Ramsey as prime sponsor.

**House Bill No. 473** Rep. Carter as prime sponsor.

**House Bill No. 529** Reps. Rudd, Lamberth, Tillis, Littleton, T. Hill, Sargent, Williams, J. Sexton, M. White, Moody, Terry, Akbari, Rogers, Parkinson, Halford, Curcio, Crawford, Gravitt, Ragan, Staples, Camper, Alexander, Towns, Forgety, Hardaway, Dunn, Sparks, Faison and D. White as prime sponsors.

**House Bill No. 530** Reps. Crawford, Thompson, Williams, Coley, Marsh, Staples, D. White, Zachary, Hardaway, Terry, Sherrell, Faison, Forgety, DeBerry, Travis, Lamberth, Ragan, Lynn, M. White, Byrd, Kumar, Keisling, Curcio, Gravitt, Carter, Hicks, Moody, Alexander, J. Sexton, Stewart, Gant, Reedy, Powell, T. Hill, Kane, Parkinson, Tillis, Littleton, Howell, Windle and Towns as prime sponsors.

**House Bill No. 605** Reps. Favors, Kane, Terry, Towns, Gant and Butt as prime sponsors.

**House Bill No. 615** Reps. J. Sexton, Rogers, Thompson, M. White and Hardaway as prime sponsors.

**House Bill No. 672** Reps. Hardaway and Turner as prime sponsors.

**House Bill No. 872** Reps. Favors, Parkinson, Camper, Towns, Clemmons, Hardaway, Powell, Turner, Stewart and M. White as prime sponsors.

**House Bill No. 1170** Rep. Carter as prime sponsor.

#### **SPONSORS REMOVED**

On Motion, Rep. Littleton was removed as sponsor of **House Bill No. 1139**.

#### **MESSAGE FROM THE SENATE**

**April 7, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 180, 272, 273, 274, 275, 276, 277 and 290; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

#### **MESSAGE FROM THE SENATE**

**April 7, 2017**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 230, 231, 232 and 233; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 10, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1160; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 1160** -- Holidays and Days of Special Observance - As introduced, creates "Tennessee Rural Mayors Day" to be observed on the first Monday of October each year. - Amends TCA Title 15, Chapter 2. by \*Hensley. (\*HB541 by \*Doss)

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Representative Matheny was recognized in the Well to introduce the Tullahoma High School AristoCATS who sang "Earth Song" by Frank Tichel and "Run To You" by the Pentatonix.

**RECOGNITION IN THE WELL**

Representative Pitts was recognized in the Well joined by Reps. Forgety, H. Brooks, Kane, M. White and Matlock, to honor Gordon Wayne Miller upon his retirement as a school superintendent. The Clerk read the proclamation honoring Mr. Miller.

**RECOGNITION IN THE WELL**

Representative Keisling was recognized in the Well joined by Reps. Pody, Windle and Weaver, to honor Josh Agee and the TN Rush AAU Girls' Basketball team.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 131, adopted February 16, 2017.

**House Joint Resolution No. 131** -- Memorials, Sports - Tennessee Rush, 7th grade AAU Basketball Team. by \*Keisling.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 13, 2017:

**House Resolution No. 96** -- Memorials, Recognition - AristoCATS, Grand Champion Award. by \*Matheny.

**House Resolution No. 97** -- Memorials, Recognition - Shane E. Kastler. by \*Sparks.

**MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Joint Resolution No. 263** -- Memorials, Death - Margaret Ann Robinson. by \*Clemmons.

**House Joint Resolution No. 264** -- Memorials, Recognition - University of Tennessee College of Law Legal Clinic, 70th anniversary. by \*Daniel.

**House Joint Resolution No. 265** -- Memorials, Recognition - Ledyard D. Gardner, Jr. by \*Daniel.

**House Joint Resolution No. 266** -- Memorials, Recognition - Specialist Benjamin David Leftrick, Tennessee Army National Guard. by \*Casada, \*Whitson, \*Jones.

**House Joint Resolution No. 267** -- Memorials, Sports - Soddy Daisy High School Cheerleaders. by \*Hazlewood.

**House Joint Resolution No. 268** -- Memorials, Recognition - Jan Moses, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 269** -- Memorials, Recognition - Linda Mines, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 270** -- Memorials, Recognition - Donna McConnico, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 271** -- Memorials, Recognition - Dionne Jennings, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 272** -- Memorials, Recognition - Marj Flemming, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 273** -- Memorials, Recognition - Sharon Braden, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 274** -- Memorials, Recognition - Phoebe Anne Warren, 2017 Young Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 275** -- Memorials, Recognition - Sydney Elizabeth Tindall, 2017 Young Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 276** -- Memorials, Recognition - Shailey Shah, 2017 Young Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 277** -- Memorials, Recognition - Holly Warlick, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 278** -- Memorials, Recognition - Linda Hisey, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 279** -- Memorials, Recognition - Rachel Schulson, 2017 Woman of Distinction. by \*Hazlewood.

## MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION

**House Joint Resolution No. 280** -- Memorials, Recognition - Catherine Elton Barker, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 281** -- Memorials, Recognition - Cindy Todd, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 282** -- Memorials, Recognition - Ginny "Mary" Young, 2017 Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 283** -- Memorials, Recognition - Savannah Raymond, 2017 Young Woman of Distinction. by \*Hazlewood.

**House Joint Resolution No. 284** -- Memorials, Sports - Kalani Sitake. by \*Carter.

**House Joint Resolution No. 285** -- Memorials, Academic Achievement - Judy Taylor, Salutatorian, Ooltewah High School. by \*Carter.

**House Joint Resolution No. 286** -- Memorials, Academic Achievement - Madison Taylor Smith, Valedictorian, Ooltewah High School. by \*Carter.

**House Joint Resolution No. 287** -- Memorials, Recognition - Casey L. Hood. by \*Sanderson.

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 329** -- Professions and Occupations - As introduced, specifies that a person who holds a master's degree in engineering from an approved institution, has a record of at least four years of progressive experience on certain engineering projects, and has obtained certification as an engineer intern must be registered as an engineer upon passage of an examination. - Amends TCA Section 62-2-401. by \*Kelsey. (HB597 by \*Williams)

**\*Senate Bill No. 413** -- Physicians and Surgeons - As introduced, enacts the "Visiting Sports Team Act." - Amends TCA Title 63. by \*Tracy. (HB952 by \*Crawford)

**Senate Bill No. 651** -- Food and Food Products - As introduced, changes from 15 days to 14 days the time in which a department of agriculture agent must remove a tag or marking on a food, drug, device, or cosmetic item as being adulterated or misbranded if the agent fails to petition for an order of condemnation. - Amends TCA Title 53. by \*Niceley, \*Bowling. (\*HB702 by \*Brooks K)

**Senate Bill No. 699** -- Railroads - As introduced, establishes a liability limit of \$10 million per occurrence or per claim for special passenger excursion train operated by a nonprofit sponsor; requires nonprofit sponsors of such trains to maintain liability insurance. - Amends amend TCA Title 29 and Title 65. by \*Yager, \*Bowling. (\*HB220 by \*Ragan)

## MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION

**\*Senate Bill No. 951** -- Water Authorities - As introduced, creates a mechanism for the periodic review of programs, strategies, and organizational structures of certain water and wastewater treatment authorities by the general assembly; authorizes the general assembly to determine the need for legislative action pursuant to such review. - Amends TCA Title 4, Chapter 29; Title 7, Chapter 82, Part 7 and Title 68, Chapter 221. by \*Watson, \*Gardenhire. (HB1132 by \*Carter, \*Gravitt)

**Senate Bill No. 1179** -- Public Records - As introduced, exempts certain records of counties and municipalities from open records law. - Amends TCA Title 5, Chapter 1, Part 1; Title 6, Chapter 54; Title 10, Chapter 7 and Title 12. by \*Hensley. (\*HB947 by \*Whitson)

**Senate Bill No. 1238** -- Medical Occupations - As introduced, amends qualification and record-keeping requirements related to central service technicians. - Amends TCA Section 68-11-239. by \*Norris. (\*HB766 by \*Lollar, \*Sexton C)

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1436** -- Dickson -- House Local Government Committee

**House Bill No. 1437** -- Lynnville -- House Local Government Committee

**\*House Bill No. 1438** -- Taxes, Hotel Motel -- House Local Government Committee

**House Bill No. 1439** -- Franklin -- House Local Government Committee

**\*House Bill No. 1440** -- Dyer County -- House Local Government Committee

**House Bill No. 1441** -- Tipton County -- House Local Government Committee

**House Bill No. 1442** -- Franklin County -- House Local Government Committee

**House Bill No. 1443** -- Rutherford County -- House Local Government Committee

**House Bill No. 1444** -- Tipton County -- House Local Government Committee

### CONSENT CALENDAR

**House Bill No. 646** -- Taxes, Business - As introduced, clarifies that the bail bonds tax collected by a bail bondsman shall be excluded from the total gross sales reported on business tax returns or deducted from the gross sales reported. - Amends TCA Section 67-4-711. by \*McDaniel.

**MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Bill No. 1068** -- Boats, Boating - As introduced, directs TACIR to study the titling of boats. - Amends TCA Title 4, Chapter 10. by \*Moody.

On motion, House Bill No. 1068 was made to conform with **Senate Bill No. 1261**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 1227** -- Education - As introduced, clarifies that a school may satisfy the summer programming requirement for qualification for a community schools grant by providing four weeks of summer programming during consecutive or nonconsecutive weeks. - Amends TCA Title 49, Chapter 6, Part 24. by \*Cooper.

**\*House Bill No. 276** -- Marriage - As introduced, adds federal administrative law judges to the list of officials authorized to solemnize marriages. - Amends TCA Section 36-3-301. by \*McCormick.

**\*House Bill No. 472** -- Housing - As introduced, adds East Ridge to governing bodies authorized to adopt ordinances to inspect residential rental dwelling units that are either deteriorated or in the process of deteriorating for compliance with applicable codes. - Amends TCA Title 13, Chapter 21, Part 3. by \*Gravitt.

On motion, House Bill No. 472 was made to conform with **Senate Bill No. 509**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 500** -- Osteopathy - As introduced, increases from \$50 to \$100 the per diem paid to each member of the board of osteopathic examination. - Amends TCA Section 63-9-103. by \*Pitts.

On motion, House Bill No. 500 was made to conform with **Senate Bill No. 1154**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 743** -- Motor Vehicles - As introduced, authorizes off-highway vehicles on certain state routes in Campbell County. - Amends TCA Section 55-8-185. by \*Powers.

On motion, House Bill No. 743 was made to conform with **Senate Bill No. 811**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1420** -- Ridgeside - Subject to local approval, removes the limit on the maximum property tax rate that may be levied by the city; decreases the number of readings required for ordinances, from three to two, and resolutions, from three to one. - Amends Chapter 615 of the Private Acts of 1931; as amended. by \*Favors.

**\*House Bill No. 541** -- Holidays and Days of Special Observance - As introduced, creates "Tennessee Rural Mayors Day" to be observed on the first Monday of October each year. - Amends TCA Title 15, Chapter 2. by \*Doss.

On motion, House Bill No. 541 was made to conform with **Senate Bill No. 1160**; the Senate Bill was substituted for the House Bill.

**\*Senate Joint Resolution No. 123** -- General Assembly, Confirmation of Appointment - Mike Edwards, State Board of Education. by \*Gresham, \*Massey, \*Overbey.



**MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*Senate Joint Resolution No. 124** -- General Assembly, Confirmation of Appointment - Gordon Ferguson, State Board of Education. by \*Gresham, \*Ketron.

**\*Senate Joint Resolution No. 125** -- General Assembly, Confirmation of Appointment - Elissa Kim, State Board of Education. by \*Gresham, \*Harper.

**House Bill No. 1419** -- Williamson County - Subject to local approval, repeals tax levy on property located in unincorporated areas of county, the proceeds of which are used for road purposes, as part of a reallocation of funds to be appropriated for such purposes. - Amends Chapter 373 of the Private Acts of 1937; as amended. by \*Casada.

**House Resolution No. 80** -- Memorials, Personal Occasion - Vester and Louise Tate, 75th wedding anniversary. by \*Halford.

**House Resolution No. 81** -- Memorials, Death - Willie Harold Reeder. by \*Keisling.

**House Resolution No. 82** -- Memorials, Sports - Macon County High School Cheer Squad. by \*Keisling.

**House Resolution No. 83** -- Memorials, Sports - Coach Brent Smith, Pickett County High School. by \*Keisling.

**House Resolution No. 84** -- Memorials, Death - Hollis Estel Reagan. by \*Keisling.

**House Resolution No. 85** -- Memorials, Death - Coleman Webster Crouch. by \*Keisling.

**House Resolution No. 86** -- Memorials, Sports - Macon County Junior High School girls' basketball team, TNT State Champions. by \*Keisling.

**House Resolution No. 87** -- Memorials, Death - Donath Sells. by \*Keisling.

**House Resolution No. 88** -- Memorials, Sports - Tyreke Key, 2016-2017 TSSAA Class A Mr. Basketball Award. by \*Keisling.

**House Resolution No. 89** -- Memorials, Sports - Maplewood High School boys' basketball team, TSSAA Division I Class AA State Champions. by \*Gilmore.

**House Resolution No. 90** -- Memorials, Personal Occasion - Paul Nichols, 95th birthday. by \*Halford.

**House Resolution No. 91** -- Memorials, Death - Chattanooga Police Officer Ulysses Jackson. by \*Favors.

**House Resolution No. 92** -- Memorials, Recognition - Erin Bacon, State Secretary of Tennessee FFA. by \*Farmer.

**House Resolution No. 93** -- Memorials, Interns - Coya Davis. by \*Pitts.

**House Resolution No. 94** -- Memorials, Death - Willa Augustine Goodwyn Todd. by \*Cooper.

**House Resolution No. 95** -- Memorials, Recognition - Clayborn Temple. by \*Cooper.

**House Joint Resolution No. 252** -- Memorials, Sports - Summertown High School girls' basketball team. by \*Byrd, \*Doss.

**House Joint Resolution No. 253** -- Memorials, Retirement - Dianne Kirk. by \*Butt.

**House Joint Resolution No. 254** -- Memorials, Sports - Clay County High School Bulldog basketball team. by \*Keisling.

**House Joint Resolution No. 255** -- Memorials, Personal Occasion - Mary Emma Reneau, 100th birthday. by \*Keisling.

**House Joint Resolution No. 256** -- Memorials, Professional Achievement - Mark Labig, 2017 Jefferson County Teacher of the Year, 9th-12th grade. by \*Farmer, \*Faison.

**House Joint Resolution No. 257** -- Memorials, Professional Achievement - Mary John Wilson, 2017 Jefferson County Teacher of the Year, 5th-8th grade. by \*Farmer, \*Faison.

**House Joint Resolution No. 258** -- Memorials, Professional Achievement - Jessica Willings, 2017 Jefferson County Teacher of the Year, PreK-4th grade. by \*Farmer, \*Faison.

**House Joint Resolution No. 259** -- Memorials, Recognition - Clarksville Rotary Club, 100th anniversary. by \*Pitts, \*Johnson, \*Reedy.

**House Joint Resolution No. 260** -- Memorials, Death - Barbara Rodgers Alston. by \*Camper, \*Shaw, \*Akbari, \*Love, \*Gilmore, \*Miller, \*Towns, \*Favors, \*Staples, \*Cooper, \*Powell, \*Fitzhugh, \*Clemmons, \*Windle, \*Parkinson, \*Thompson, \*DeBerry, \*Coley, \*Moody, \*Littleton, \*Stewart, \*White D, \*Lollar, \*Weaver, \*Butt, \*Rogers, \*White M, \*Mitchell, \*Lynn, \*Jernigan, \*Lamberth.

**House Joint Resolution No. 261** -- Memorials, Death - Rosetta Leteria Dover. by \*Camper, \*Shaw, \*Akbari, \*Love, \*Gilmore, \*Miller, \*Towns, \*Favors, \*Staples, \*Cooper, \*Powell, \*Fitzhugh, \*Clemmons, \*Windle, \*Parkinson, \*Thompson, \*DeBerry, \*Coley, \*Stewart, \*Jernigan.

**House Joint Resolution No. 262** -- Memorials, Recognition - The Lee Sisters of Memphis. by \*Turner.

**Senate Joint Resolution No. 278** -- Memorials, Sports - South Greene High School Lady Rebels, TSSAA Class A state champions. by \*Southerland.

**Senate Joint Resolution No. 279** -- Memorials, Retirement - Charlie Garant. by \*Southerland.

**Senate Joint Resolution No. 280** -- Memorials, Recognition - King University, 150th anniversary. by \*Lundberg, \*Crowe.

**Senate Joint Resolution No. 281** -- Memorials, Recognition - Dupree Farms, Tennessee Century Farm. by \*Jackson, \*Overbey.

**Senate Joint Resolution No. 282** -- Memorials, Interns - James R. Copley. by \*Bell, \*Haile.

**Senate Joint Resolution No. 283** -- Memorials, Retirement - Dennis A. Wolford. by \*Beavers.

**Senate Joint Resolution No. 284** -- Memorials, Retirement - Russell Kinser. by \*Southerland.

**Senate Joint Resolution No. 285** -- Memorials, Professional Achievement - Dr. Doug Woolsey, J.W. Massengill Distinguished Service to Agriculture Award. by \*Southerland.

**Senate Joint Resolution No. 286** -- Memorials, Sports - Morristown Heat travel basketball team. by \*Southerland.

**Senate Joint Resolution No. 288** -- Memorials, Sports - Mount Pisgah Christian Academy Lady Patriots. by \*Yager.

**Senate Joint Resolution No. 289** -- Memorials, Death - Dr. Bill Sanders. by \*Niceley, \*McNally, \*Gresham.

**Senate Joint Resolution No. 291** -- Memorials, Recognition - Johnson City Community Theatre. by \*Crowe.

**Senate Joint Resolution No. 292** -- Memorials, Recognition - P.D. Mynatt. by \*Ketrone.

Rep. Byrd moved that all members voting aye on House Joint Resolution No. 252 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

Rep. Camper moved that all members voting aye on House Joint Resolution No. 260 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

Rep. Cooper moved that all members voting aye on House Resolution No. 95 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

Rep. Turner moved that all members voting aye on House Joint Resolution No. 262 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

## MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary -- 96

A motion to reconsider was tabled.

### REGULAR CALENDAR

**House Bill No. 474** -- Public Officials - As introduced, prohibits a public facility from being named for a public official who is in office, for five years after the public official leaves office, or if the public official has been convicted of a felony or a crime of moral turpitude; prohibits a public official from making charitable donations in the public official's name if the donation is from public funds. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9 and Title 12. by \*Gravitt, \*Hazlewood, \*Alexander, \*Carr, \*Carter. (\*SB382 by \*Gardenhire)

Further consideration of House Bill No. 474, previously considered on March 20, 2017 and March 27, 2017, at which time it was reset for today's Calendar.

### BILL HELD ON DESK

Rep. Gravitt moved that House Bill No. 474 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 530** -- Education, Higher - As introduced, replaces the Tennessee National Guard Tuition Assistance Act with the Tennessee Support, Training, and Renewing Opportunity for National Guardsmen (STRONG) Act of 2017. - Amends TCA Title 49, Chapter 4, Part 10. by \*Hawk, \*Casada, \*Goins, \*Rudd, \*Johnson, \*Hazlewood, \*Whitson, \*Brooks K, \*Powers. (SB1216 by \*Norris, \*Jackson, \*Ketron, \*Crowe, \*Gresham, \*Harris, \*Hensley, \*Massey, \*Watson)

On motion, House Bill No. 530 was made to conform with **Senate Bill No. 1216**; the Senate Bill was substituted for the House Bill.

Rep. Goins moved that Senate Bill No. 1216 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Goins moved that **Senate Bill No. 1216** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**House Bill No. 605** -- Sentencing - As introduced, increases classification of offense of patronizing prostitution from a Class B to a Class A misdemeanor. - Amends TCA Title 39, Chapter 13, Part 3 and Title 39, Chapter 13, Part 5. by \*Coley, \*Moody, \*Harwell, \*Lamberth, \*Goins, \*Akbari, \*Littleton, \*Fitzhugh, \*Hardaway. (\*SB551 by \*Ketron, \*Massey, \*Overbey)

On motion, House Bill No. 605 was made to conform with **Senate Bill No. 551**; the Senate Bill was substituted for the House Bill.

Rep. Moody moved that Senate Bill No. 551 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

**MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Moody moved that **Senate Bill No. 551** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**House Bill No. 375** -- Alcoholic Beverages - As introduced, authorizes certain historic performing arts centers to sell alcoholic beverages during a performance; authorizes the consumption of alcoholic beverages in the auditoriums of such performing arts centers. - Amends TCA Title 57, Chapter 4. by \*Cooper. (\*SB48 by \*Massey, \*Briggs, \*Kelsey, \*Kyle)

On motion, House Bill No. 375 was made to conform with **Senate Bill No. 48**; the Senate Bill was substituted for the House Bill.

Rep. Cooper moved that **Senate Bill No. 48** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 69  
Noes..... 17  
Present and not voting..... 7

Representatives voting aye were: Akbari, Beck, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, DeBerry, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, Whitson, Williams, Wirgau -- 69

Representatives voting no were: Brooks H., Brooks K., Byrd, Crawford, Dunn, Gant, Hill M., Hill T., Holt, Howell, Moody, Sexton J., Sherrell, Smith, White M., Windle, Zachary -- 17

Representatives present and not voting were: Alexander, Butt, Doss, Pody, Powers, Rudd, Sparks -- 7

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on **Senate Bill No. 48** and have this statement entered in the Journal: Reps. Lollar, Matlock and Van Huss.

REGULAR CALENDAR, CONTIUED

**\*House Bill No. 326** -- Administrative Procedure (UAPA) - As introduced, authorizes commissioners and chief executive officers of administrative departments under which regulatory boards operate to review and either approve or veto rules that may constitute unreasonable restraints of trade. - Amends TCA Title 4. by \*Hawk, \*Casada. (SB1217 by \*Norris, \*Stevens)

On motion, House Bill No. 326 was made to conform with **Senate Bill No. 1217**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 1217 be passed on third and final consideration.

Rep. Faison moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Hawk moved that **Senate Bill No. 1217** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**\*House Bill No. 529** -- Telecommunications - As introduced, creates a grant program for promoting the deployment and adoption of broadband internet access services; provides certain standards that must be met by a local community to benefit from such grants; allows an electric cooperative to provide broadband service within or without the cooperative's service area, subject to certain requirements; provides a tax credit for qualified broadband internet access equipment. - Amends TCA Title 4, Chapter 3, Part 7; Title 7, Chapter 59, Part 3; Title 65, Chapter 25 and Title 67, Chapter 4, Part 20. by \*Hawk, \*Casada, \*Swann, \*Marsh, \*Doss, \*Calfee, \*Reedy, \*Powers, \*Eldridge, \*Holsclaw, \*Byrd, \*Gant, \*Travis, \*Hazlewood, \*Hicks, \*Sanderson, \*Weaver, \*Favors. (SB1215 by \*Norris, \*Bell, \*Yager, \*Ketron, \*Watson, \*Crowe, \*Gresham, \*Hensley, \*Niceley)

On motion, House Bill No. 529 was made to conform with **Senate Bill No. 1215**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 1215 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Eldridge moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Hawk moved that **Senate Bill No. 1215** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	4

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Madam Speaker Harwell -- 93

Representatives voting no were: Holt, Kane, Smith, Zachary -- 4

A motion to reconsider was tabled.



**House Bill No. 1287** -- Alcoholic Beverages - As introduced, authorizes a distillery to sell at retail by the drink alcoholic beverages for consumption on its premises. - Amends TCA Title 57, Chapter 3. by \*Sanderson, \*Hawk, \*Casada, \*Wirgau, \*Johnson, \*Sargent. (\*SB930 by \*Ketron, \*Yager, \*Jackson)

Rep. Sanderson moved that House Bill No. 1287 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1287 by designating subdivision (i)(4) of Section 1 as subdivision (i)(4)(A) and by adding the following language as a new subdivision (i)(4)(B):

(B) As used in subdivision (i)(4)(A), "premises," for purposes of consumption on the premises:

(i) Means any and all of the real property owned or leased by a distillery upon which the distillery is operated, including any real property owned by the distillery contiguous thereto; and

(ii) Does not mean the bonded premises of a distillery.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Sanderson moved that **House Bill No. 1287**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	73
Noes.....	17
Present and not voting.....	6

Representatives voting aye were: Akbari, Alexander, Beck, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Weaver, White D., White M., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 73

Representatives voting no were: Brooks H., Byrd, Doss, Dunn, Gant, Hill M., Hill T., Holt, Keisling, Lollar, Matlock, Moody, Sexton J., Smith, Van Huss, Windle, Zachary -- 17

Representatives present and not voting were: Butt, DeBerry, Pody, Powers, Rudd, Sparks -- 6

A motion to reconsider was tabled.

**\*House Bill No. 1338** -- Barbers and/or Cosmetologists - As introduced, requires anyone seeking a license or renewing a license as a cosmetologist, aesthetician, manicurist, natural hair stylist, or barber to successfully complete a one-hour domestic violence training course as prescribed by the state board of cosmetology and barber examiners. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by \*Hardaway, \*Camper, \*Gilmore, \*Cooper, \*Favors, \*Jones, \*Hazlewood, \*Stewart, \*Moody, \*Casada, \*White M. (SB1303 by \*Harris)

Rep. Hardaway moved that House Bill No. 1338 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1338 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 62-4-114(a), is amended by adding the following language as a new subdivision:

(4)

(A) By January 1, 2018, the board shall develop instructional guidelines for one-hour domestic violence and sexual assault awareness continuing education courses. Such courses shall train instructors on the common signs of domestic violence and sexual assault and the available resources for victims of domestic violence and sexual assault. The board shall use the instructional guidelines to approve such courses and providers providing such courses. An instructor may apply such a course towards the instructor's sixteen-hour continuing education requirement as described in subdivision (a)(1).

(B) An instructor who completes the board-approved course described in subdivision (a)(4)(A) shall not be held civilly liable for acting in good faith or failing to act on information obtained during the course of employment concerning potential domestic violence or sexual assault.

(C) Nothing in this subdivision (a)(4) subjects an instructor under this chapter to the jurisdiction of any board under title 63.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Hardaway moved that House Bill No. 1338 be reset for the Regular Calendar on April 17, 2017, which motion prevailed.

**\*House Bill No. 404** -- Sexual Offenders - As introduced, requires the board of parole to order any person convicted of rape of a child, aggravated rape of a child, or a child sexual predator offense to enroll in a satellite-based monitoring and supervision program for the entire time the person is on parole if the person does not maintain either a primary or secondary address. - Amends TCA Title 40, Chapter 39. by \*Littleton. (SB468 by \*Bell)

Rep. Littleton moved that House Bill No. 404 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 404 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-39-303, is amended by adding the following new subsection (d):

(d) Notwithstanding any other law, the court shall require any person who is, on or after July 1, 2017, placed on probation for an offense that would qualify the person as a child sexual predator under § 39-13-523(a) and who does not maintain either a primary or secondary residence, to enroll in a satellite-based monitoring and supervision program for the full extent of the person's term of probation.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Littleton moved that **House Bill No. 404**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 615** -- Child Abuse - As introduced, adds the commission of trafficking for commercial sex act to the definitions of child sexual abuse and severe child abuse. - Amends TCA Title 37, Chapter 1, Part 1 and Title 37, Chapter 1, Part 6. by \*Coley, \*Moody, \*Littleton, \*Favors. (\*SB553 by \*Ketron, \*Bowling)

Rep. Littleton moved that **House Bill No. 615** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 1273** -- Alcoholic Beverages - As introduced, authorizes Ballet Memphis to be licensed as an urban park center for purposes of consumption of alcoholic beverages on premises. - Amends TCA Title 57, Chapter 4. by \*Thompson, \*Miller. (\*SB885 by \*Kyle, \*Kelsey)

On motion, House Bill No. 1273 was made to conform with **Senate Bill No. 885**; the Senate Bill was substituted for the House Bill.

Rep. Thompson moved that **Senate Bill No. 885** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	66
Noes.....	19
Present and not voting.....	5

Representatives voting aye were: Akbari, Beck, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Marsh, Matheny, McCormick, McDaniel, Miller, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Weaver, White D., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 66

Representatives voting no were: Brooks H., Byrd, Calfee, Dunn, Gant, Hill M., Hill T., Holt, Keisling, Lollar, Lynn, Matlock, Moody, Sexton J., Smith, Van Huss, White M., Windle, Zachary -- 19

5 Representatives present and not voting were: Alexander, Doss, Powers, Rudd, Sparks --

A motion to reconsider was tabled.

**\*House Bill No. 286** -- Criminal Offenses - As introduced, creates the Class A misdemeanor of using or possessing a motor vehicle that has a compartment containing contraband or residue of contraband. - Amends TCA Title 55, Chapter 10, Part 2. by \*Byrd. (SB1150 by \*Hensley)

Rep. Byrd moved that House Bill No. 286 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 286 by deleting subdivision (a)(3) in the amendatory language of Section 1 and substituting instead the following:

(3)

(A) "Vehicle" means any motor vehicle, trailer, or semitrailer; and

(B) "Vehicle" does not include a vehicle that is being towed by a towing firm:

(i) With the express written authorization of a law enforcement officer with appropriate jurisdiction, provided the authorization form contains the information required by § 66-19-103(d); or

(ii) With the express written authorization of the owner, or owner's agent, of the vehicle provided the authorization form contains the information required by § 66-19-103(d), and the person operating the tow truck did not know or have reason to know that the vehicle being towed had a compartment that contained contraband or evidence of prior storage, concealment, or transportation of contraband.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Byrd moved that House Bill No. 286 be reset for the Regular Calendar on April 17, 2017, which motion prevailed.

**House Bill No. 1422** -- Lewis County - Subject to local approval, authorizes the location of landfills within four and one-half miles of the Buffalo River. - Amends Chapter 169 of the Private Acts of 1990. by \*Byrd. (\*SB1434 by \*Hensley)

Rep. Byrd moved that **House Bill No. 1422** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	3

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 90

Representatives voting no were: Cooper, Hardaway, Towns -- 3

A motion to reconsider was tabled.

**\*House Bill No. 308** -- Education - As introduced, revises various provisions regarding student accountability measures due to the implementation of the federal law The Every Student Succeeds Act (ESSA) including revising the way the state board of education and the department of education determine the performance level of a school. - Amends TCA Title 49, Chapter 1, Part 6 and Section 49-6-6001. by \*Hawk, \*Casada, \*Brooks H, \*White M, \*Byrd. (SB1198 by \*Norris, \*Tracy, \*Gresham)

On motion, House Bill No. 308 was made to conform with **Senate Bill No. 1198**; the Senate Bill was substituted for the House Bill.

Rep. Byrd moved that **Senate Bill No. 1198** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis,

Towns, Travis, Turner, Van Huss, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 473** -- Liens - As introduced, extends from two to three weeks the amount of time that a marina must advertise in a newspaper of general circulation notice of intent to enforce a lien upon any vessel or personal watercraft that lawfully comes into the marina's possession and is retained pending payment of all reasonable charges due. - Amends TCA Title 66 and Title 69. by \*Gravitt. (\*SB419 by \*Lundberg)

Rep. Gravitt moved that House Bill No. 473 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 473 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 19, Part 2, is amended by adding the following as a new section:

(a)

(1) A marina has a lien on a floating cabin for any assessment levied against the floating cabin pursuant to a written lease or service contract between the marina and the owner of the floating cabin from the time the assessment becomes due, which lien may be enforced by judicial action.

(2) Notwithstanding subdivision (a)(1), a written lease or service contract between a marina and the owner of a floating cabin may provide that the marina's lien may be enforced in like manner as a security interest under title 47, chapter 9, if the marina gives notice of its action to the owner and to all lienholders of record.

(3) Notice shall be deemed sufficient if sent by United States mail, postage prepaid:

(A) If to the owner, at the address of the floating cabin, or, if different, the last address for the owner on file with the marina; or

(B) If to a lienholder, other interested party, or the nominee of record, at the address set forth in an instrument of record; or, if different, at such other address as the lienholder or other interested party may have on file with the marina.

(4) Notice shall be deemed received three (3) days after deposit in the United States mail, postage prepaid. Fees, service charges, late charges, fines, and interest are enforceable as assessments under this section unless the written lease or service contract between the marina and the owner of the floating cabin provides otherwise. If an assessment is payable in installments, the full amount of the assessment is a lien from the time the first installment of the assessment becomes due.

(b)

(1) A lien under this section is prior to all other liens and encumbrances on a floating cabin, except:

(A) Liens and encumbrances recorded before the date of the written lease or service contract between the marina and the owner of the floating cabin;

(B) A first or purchase money lien recorded before the date on which the assessment sought to be enforced became delinquent; and

(C) Liens for taxes and other governmental assessments or charges against the floating cabin.

(2) Upon a foreclosure action initiated by a lienholder or the marina under title 47 chapter 9, the marina is entitled to a priority in the proceeds from the foreclosure sale to satisfy the lien under subsection (a) up to the extent of the assessments that are past due during the twelve (12) months immediately preceding institution of an action to enforce the lien. However, notwithstanding this subsection (b) or any law to the contrary:

(A) Any foreclosure by the marina of its lien for assessments shall be subject to any prior lien encumbering the floating cabin and shall not extinguish such lien;

(B) Upon any foreclosure and sale by the holder of a security interest, the sale and foreclosure will be subject to the marina lien up to the payment priority amount set forth in this subdivision (b)(2); and

(C) Any right of foreclosure or priority of the marina shall not be transferable and shall be extinguished if assigned or transferred to a third party.

(c) If two (2) or more marinas have liens for assessments at any time on the same floating cabin, the priority of the liens shall be determined based on the date that each lien was created, with an earlier created lien having priority over a later created lien.



(d) A lien for any delinquent assessment under this section up to the priority in payment provided in subdivision (b)(2) is perfected without recording. Any other delinquent amount above the priority of payment provided in subdivision (b)(2) is perfected by filing a financing statement with the secretary of state, and shall have priority over any subsequently filed liens.

(e) A lien for unpaid assessments is extinguished unless proceedings to enforce the lien are instituted within six (6) years after the date the lien for the assessment becomes effective.

(f) A judgment or decree in any action brought under this section may include costs and reasonable attorney's fees for the prevailing party.

(g) The marina, upon written request, shall furnish to an owner or to a holder of any security interest encumbering the floating cabin, or the owner's or holder's respective authorized agents, a written statement setting forth the amount of unpaid assessments against the floating cabin. The statement must be furnished within seven (7) days after receipt of the written request and is binding on the marina.

(h) As used in this section:

(1) "Floating cabin" means a watercraft or other floating structure:

(A) Primarily designed and used for human habitation or occupation; and

(B) Not primarily designed or used for navigation or transportation on water; and

(2) "Marina" means a marina, boat dock, dry dock, or dry storage facility.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it, and shall apply to charges accruing against floating cabins on or after that date.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Gravitt moved that **House Bill No. 473**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody,

**MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 1170** -- Water Authorities - As introduced, requires public reports on annual post audits of water and wastewater treatment authorities to be disseminated within five business days of the completion of such reports. - Amends TCA Title 68 and Title 69. by \*Gravitt. (\*SB999 by \*Watson, \*Southerland, \*Gardenhire)

On motion, House Bill No. 1170 was made to conform with **Senate Bill No. 999**; the Senate Bill was substituted for the House Bill.

Rep. Gravitt moved that Senate Bill No. 999 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gravitt moved that **Senate Bill No. 999** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 872** -- Education - As introduced, prohibits the suspension or expulsion of students in pre-kindergarten and kindergarten unless the student's behavior endangers the physical safety of other students or school personnel. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 10; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6. by \*Akbari, \*Cooper, \*Love. (SB1394 by \*Tate)

Rep. Akbari moved that House Bill No. 872 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

972

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**Amendment No. 1**

AMEND House Bill No. 872 by deleting all language after the caption and substituting instead the following:

WHEREAS, the introduction of exclusionary discipline should be used only as a method of last resort; and

WHEREAS, whenever possible, the parent should be involved in disciplinary actions taken by the school; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is amended by adding the following language as a new section:

(a) The department of education, in consultation with juvenile court officials, shall review all current laws and policies related to exclusionary discipline practices in public schools for students in pre-kindergarten through kindergarten (pre-K-K). For purposes of this section, "exclusionary discipline" means any type of school disciplinary action that removes or excludes a student from the student's traditional educational setting.

(b) The review shall:

(1) Examine the number of exclusionary discipline actions issued by an LEA and the length of each respective disciplinary action;

(2) Detail the type of offenses committed by the students that led to the exclusionary discipline action;

(3) Review the impact exclusionary discipline has on students;

(4) Examine recommendations from lawmakers, juvenile court officials, judges, district attorneys, the Tennessee Commission on Children and Youth, and representatives from LEAs on alternatives to exclusionary discipline;

(5) Identify free resources to support teachers and parents in addressing children's social, emotional, and behavioral health, strengthening family relationships, and increasing developmental and behavioral screening; and

(6) Research the possibility of:

(A) Eliminating exclusionary discipline for non-violent offenses; and

(B) Encouraging schools to adopt restorative justice discipline practices.

(c) The department shall develop guidelines and standards for alternatives to exclusionary discipline practices based on the findings of the review required under subsection (b).

(d) The department shall present its findings and a written report to the education committees of the senate, the education administration and planning committee of the house of representatives, and the education instruction and programs committee of the house of representatives no later than May 1, 2018.

(e) After submission of the report required in subsection (d), the department shall develop a model policy for alternatives to exclusionary discipline practices that districts may adopt for students in pre-kindergarten through kindergarten (pre-K-K). If a district does not adopt the model policy developed by the department, the district shall develop and implement a policy that meets the guidelines and standards developed under subsection (c). Each LEA shall adopt the model policy or develop their own policy prior to the 2018-2019 school year.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Akbari moved that **House Bill No. 872**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes ..... 4

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 90

Representatives voting no were: Forgety, Gant, Holt, Pody -- 4

A motion to reconsider was tabled.

**House Bill No. 672** -- Election Laws - As introduced, specifies the indications that a voter has changed address of residence without notifying the county election commission; specifies that any online voter registrations must be submitted on or before July 1, 2017; makes various changes to absentee voting provisions. - Amends TCA Section 2-2-106; Section 2-2-112; Section 2-6-201; Section 2-6-202 and Section 2-6-204. by \*Carr , \*Favors. (\*SB616 by \*Yager)

Rep. Carr moved that House Bill No. 672 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 672 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-2-106, is amended by deleting subsection (b) and substituting instead the following:

(b) It is the responsibility of the county election commission to implement an address verification program to identify any voter who has changed the voter's address of residence without notifying the election commission. The address verification program shall conform to the intent of this section and this part and the National Voter Registration Act of 1993, compiled in 52 U.S.C. § 20501 et seq. (formerly 42 U.S.C. § 1973gg et seq.). The county election commission shall complete the address verification process at least on a biennial basis, but may do so annually. The county election commission shall complete any such process no later than ninety (90) days before a federal election.

SECTION 2. Tennessee Code Annotated, Section 2-2-106, is further amended by deleting subsection (c) and substituting instead the following:

(c)

(1) To identify any voter who has changed the voter's address of residence without notifying the county election commission, the address verification program implemented by the county election commission under subsection (b) may use any of the following, or any combination of the following, sources:

(A) The return of mail sent by the county election commission to the voter at the voter's address of registration. The mail sent to the voter may include, without limitation, a non-forwardable verification card, a non-forwardable voter registration card, or a notice mailed pursuant to § 2-3-105 or § 2-5-211;

(B) The United States postal service's national change of address service; and

(C) Information received from the coordinator of elections as a result of a comparison of voter registration addresses with the residential addresses of record with the department of safety. To conduct the comparison of residential addresses, the department of safety and the coordinator of elections may retrieve the data applicable to the voter's address of residence and match the voter's registration address with data applicable to the voter's matching record with the department of safety. The coordinator of elections may obtain from the department of safety a list of all persons who have surrendered their Tennessee driver license while obtaining a driver license from another state.

(2) If, as a result of the address verification program, the county election commission determines that a voter may have changed the voter's address of residence, the administrator of elections shall mail a forwardable confirmation notice to the voter at the address of registration with a postage prepaid, pre-addressed return form on which the voter may verify or correct the new address information.

SECTION 3. Tennessee Code Annotated, Section 2-2-112(a), is amended by deleting the language "Beginning July 1, 2017" and substituting instead "Beginning as soon as practicable but no later than September 1, 2017".

SECTION 4. Tennessee Code Annotated, Section 2-6-201(5)(A), is amended by deleting the subdivision and substituting instead the following:

(A) A person sixty (60) years of age or older when the person requests to vote absentee;

SECTION 5. Tennessee Code Annotated, Section 2-6-204(a), is amended by adding the following language as a new subdivision (4):

(4) If a county election commission receives an application for an absentee ballot by email with an attached document that includes a scanned signature, the administrator may send a notice of rejection by email with an attached document advising the voter of the reason for the rejection.

SECTION 6. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Carr moved that **House Bill No. 672**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio,

Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 1063** -- Students - As introduced, allows a student to be excused from a school athletic event if the event occurs on a school holiday, the weekend, or a religious holiday and the parent or legal guardian provides prior written notice of the student's absence; authorizes an unforeseen emergency as exception to the parent or legal guardian providing prior written notice of the student's absence from the athletic event. - Amends TCA Section 49-6-1002. by \*Brooks K. (SB1012 by \*Gardenhire)

On motion, House Bill No. 1063 was made to conform with **Senate Bill No. 1012**; the Senate Bill was substituted for the House Bill.

Rep. K. Brooks moved that Senate Bill No. 1012 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1012 by deleting the language "official school holiday, weekend, or religious holiday" from the amendatory language of Section 1 and substituting instead the language "official school holiday, observed day of worship, or religious holiday".

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. K. Brooks moved that **Senate Bill No. 1012**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	81
Noes .....	11

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Jernigan, Johnson, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw,

**MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, White D., White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 81

Representatives voting no were: Forgety, Hulsey, Kane, Keisling, Lollar, McCormick, Reedy, Sexton J., Weaver, Whitson, Windle -- 11

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 1012** and have this statement entered in the Journal: Rep. Byrd.

**REGULAR CALENDAR, CONTIUED**

**House Bill No. 1090** -- Boards and Commissions - As introduced, establishes minimum attendance requirement for members of the board of podiatric medical examiners and requires removal of members who do not meet the requirement. - Amends TCA Title 63, Chapter 3. by \*Keisling. (\*SB448 by \*Bell)

On motion, House Bill No. 1090 was made to conform with **Senate Bill No. 448**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 448 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Keisling moved that **Senate Bill No. 448** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

Representatives voting no were: Daniel -- 1



A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 448** and have this statement entered in the Journal: Rep. Sargent.

**REGULAR CALENDAR, CONTIUED**

**House Bill No. 931** -- Public Health - As introduced, repeals obsolete miscellaneous sanitary regulations for workshops, which includes any house, room, or place when used for the purpose of carrying on any process of making or altering, for sale or for wages, any coats, vests, trousers, knee pants, overalls, cloaks, shirts, waists, purses, feathers, artificial flowers, or cigars, or any wearing apparel of any kind whatsoever, intended for sale. - Repeals TCA Title 68, Chapter 15, Part 1. by \*Rudd. (\*SB615 by \*Watson)

Rep. Rudd moved that **House Bill No. 931** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**\*House Bill No. 4** -- Probation and Parole - As introduced, requires the board of probation and parole to meet and order the release of a parolee whose parole has been revoked and who has been reincarcerated as the result of being charged with an offense committed while on parole if that charge is dismissed. - Amends TCA Title 40, Chapter 28. by \*Parkinson, \*Cooper. (SB221 by \*Harris)

On motion, House Bill No. 4 was made to conform with **Senate Bill No. 221**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 221 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Parkinson moved that **Senate Bill No. 221** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary -- 96

A motion to reconsider was tabled.

**\*House Bill No. 109** -- Controlled Substances - As introduced, increases the amount of marijuana possessed or exchanged under the offenses of simple possession or casual exchange from less than one-half ounce to less than one ounce; prohibits the inference of purpose of selling or otherwise dispensing when the substance possessed or exchanged was less than one ounce of marijuana. - Amends TCA Title 39 and Title 40. by \*Parkinson. (SB1134 by \*Kyle)

Rep. Parkinson moved that House Bill No. 109 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

### **Amendment No. 2**

AMEND House Bill No. 109 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-417(g)(1), is amended by deleting the language "one-half (1/2) ounce (14.175 grams)" and substituting instead the language "one (1) ounce (28.350 grams)".

SECTION 2. Tennessee Code Annotated, Section 39-17-418(a), is amended by deleting the language "controlled substance" and substituting instead "controlled substance except marijuana as defined in subdivision (b)(3)(B)".

SECTION 3. Tennessee Code Annotated, Section 39-17-418(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b)

(1) It is an offense for a person to sell or distribute a small amount of marijuana not in excess of one (1) ounce (28.350 grams).

(2) It is an offense for a person to knowingly possess or casually exchange marijuana.

(3) As used in this subsection (b):

(A) "Casually exchange" means the spontaneous passing of a small amount of marijuana that does not involve, in exchange for the marijuana, the payment of money or a gift card, debit card, credit card, or any other card, coupon, or token that is capable of being exchanged for money, merchandise, or goods; and

(B) "Marijuana" means marijuana in the form of a plant and does not mean marijuana in any other form, including, but not limited to, a resin, compound, derivative, concentrate, or oil.

SECTION 4. Tennessee Code Annotated, Section 39-17-419, is amended by deleting the language "It may be inferred" and substituting instead the language "Except as provided in subsection (b), it may be inferred".

SECTION 5. Tennessee Code Annotated, Section 39-17-419, is amended by redesignating the current language as subsection (a) and adding the following language as a new subsection:

(b) The purpose to sell or otherwise dispense shall not be inferred solely from the possession or casual exchange of less than one (1) ounce of marijuana.

SECTION 6. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. M. Hill moved the previous question, which motion prevailed.

**MONDAY, APRIL 10, 2017 -- TWENTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Parkinson moved that **House Bill No. 109**, as amended, be passed on third and final consideration, which motion failed by the following vote:

Ayes .....	44
Noes.....	45
Present and not voting.....	5

Representatives voting aye were: Akbari, Beck, Camper, Casada, Clemmons, Curcio, Daniel, DeBerry, Dunn, Faison, Favors, Fitzhugh, Gilmore, Goins, Hardaway, Hazlewood, Hicks, Hill M., Hill T., Jernigan, Jones, Littleton, Love, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Sexton C., Shaw, Sparks, Staples, Stewart, Thompson, Towns, Turner, Van Huss, Williams -- 44

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Coley, Cooper, Crawford, Doss, Eldridge, Farmer, Forgety, Gant, Halford, Holt, Howell, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Lynn, Matlock, Moody, Ragan, Reedy, Rogers, Rudd, Sanderson, Sexton J., Sherrell, Swann, Terry, Tillis, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary -- 45

Representatives present and not voting were: Gravitt, Hulsey, Powers, Smith, Travis -- 5

House Bill No. 109, having failed to receive a constitutional majority, was thereby referred to the Committee on Calendar and Rules.

**\*House Bill No. 21** -- Highway Signs - As introduced, authorizes DUI memorial signs for victims of accidents in which the intoxicated driver causing the accident was not convicted due to the driver dying as a result of the accident; requires a sign to be erected as soon as reasonably practicable for such a victim named in the act. - Amends TCA Section 54-5-1003 and Chapter 1039 of the Public Acts of 2016. by \*Pitts. (SB17 by \*Roberts, \*Yager)

On motion, House Bill No. 21 was made to conform with **Senate Bill No. 17**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that Senate Bill No. 17 be passed on third and final consideration.

Rep. Doss moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Pitts moved that **Senate Bill No. 17** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts,

Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 17** and have this statement entered in the Journal: Rep. Crawford.

### REGULAR CALENDAR, CONTIUED

**House Bill No. 933** -- Funeral Directors and Embalmers - As introduced, prohibits the disposition or removal of human remains unless authorized by a person legally entitled to control such disposition or removal, with certain exceptions. - Amends TCA Title 38, Chapter 7; Title 62, Chapter 5 and Title 68. by \*Powell. (\*SB19 by \*Harris)

On motion, House Bill No. 933 was made to conform with **Senate Bill No. 19**; the Senate Bill was substituted for the House Bill.

Rep. Powell moved that Senate Bill No. 19 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved that **Senate Bill No. 19** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**NOTICE TO ACT ON SENATE MESSAGE**

Pursuant to **Rule No. 59**, notice was given that the following measures from the Senate would be considered on April 13, 2017:

**House Bill No. 34:** by Rep. Windle

**House Bill No. 671:** by Rep. Carr

**House Bill No. 16:** by Rep. Goins

**House Bill No. 578:** by Rep. Curcio

**RULES SUSPENDED**

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 362** to be heard in the Agriculture and Natural Resources Committee this week, which motion prevailed.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 109** Reps. Hardaway, Staples and Stewart as prime sponsors.

**House Bill No. 277** Rep. Love as prime sponsor.

**House Bill No. 322** Rep. Crawford as prime sponsor.

**House Bill No. 413** Rep. Thompson as prime sponsor.

**House Bill No. 432** Rep. Love as prime sponsor.

**House Bill No. 508** Rep. Crawford as prime sponsor.

**House Bill No. 660** Rep. McCormick as prime sponsor.

**House Bill No. 695** Reps. Fitzhugh, Powers and Love as prime sponsors.

**House Bill No. 869** Rep. Eldridge as prime sponsor.

**House Bill No. 992** Rep. Wirgau as First prime sponsor.

**House Bill No. 1188** Rep. Matheny as prime sponsor.

**House Bill No. 1208** Reps. Carr, Smith and Cooper as prime sponsors.

**House Bill No. 1338** Reps. Thompson, Turner, Love and Parkinson as prime sponsors.

**SPONSORS REMOVED**

On Motion, Rep. D. White was removed as sponsor of **House Bill No. 992**.

**SIGNED**  
**April 10, 2017**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 180, 272, 273, 274, 275, 276, 277 and 290.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 10, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 159, 195, 293, 433, 575, 611, 677, 695, 819, 1187 and 1353; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK**  
**April 10, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 230, 231, 232 and 233; for his action.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
**April 10, 2017**

The Speaker announced that she had signed the following: Senate Bills Nos. 159, 195, 293, 433, 575, 611, 677, 695, 819, 1187 and 1353.

TAMMY LETZLER, Chief Clerk

**SIGNED**  
**April 10, 2017**

The Speaker announced that she had signed the following: House Bills Nos. 56, 61, 95, 113, 227, 309, 318, 320, 579, 641, 688, 1043 and 1366.

GREG GLASS, Chief Engrossing Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 96

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

**RECESS**

On motion of Rep. Casada, the House stood in recess until 9:00 a.m., Thursday, April 13, 2017.